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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,611	11/04/2000	Daniel H. Illowsky	A-69996/RMA	8527

7590 10/01/2004

FLEHR HOHBACH TEST  
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EXAMINER
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JACKSON, JENISE E

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 10/01/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/706,611

Applicant(s)

ILLOWSKY, DANIEL H.

Examiner

Jenise E Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### **Minor Informalities**

1. **Page 1 of specification, that listed Related Applications, needs to be completed by the Applicant, the serial numbers of each related application need to be included on page 1. A substitute page is required.**

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

As per claim 12, it is unclear as to how this claim is directed to security. Claim 12 discloses Intelligent messages that are sent to player for disabled persons. This claim does not disclose an anti-hacking system. Therefore, claim 12 is rejected for being unclear.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Moran et al.(6,647,400)

5. As per claims 1, 11, Moran discloses a method of maintaining anti-hacking security in a computer system, because Moran discloses an intrusion detection system(see col. 3, lines 35-37), that executes procedural messages using native code to carry out the procedures of the messages, Moran discloses this because Moran discloses an analysis engine that includes a source or rules

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with these rules of Moran, can determine whether a packet is harmful(see col. 3, lines 35-51), native code carrying out the procedures of the message allocating, in a single operation, one contiguous memory block range having a single memory boundary position as a buffer for storage, because Moran discloses that the analysis engine that utilizes the rule set has an attack signature database, that receives input from the sensor controller(see col. 8, lines 1-14). The sensor controller passes information to the database(i.e. memory)(see col. 8, lines 13-16); protecting the allocated storage buffer from overflow by, reducing the number of operations the native code uses to carry out the procedures of the message that obtain memory pointers to the allocated buffer(see col. 9, lines 41-62); and checking attempts to access a memory locations outside of the allocated single memory block range only against the single memory boundary position of the single buffer memory block range(see col. 4, lines 17-23); so that the likelihood that a computer system hacker can create a buffer overflow and thereby obtain access to other memory ranges to gain entry or control over functions or data of the computer system is reduced(see col. 4, lines 17-23, col. 34, lines 20-36).

6. As per claim 2, Moran discloses wherein the computer system includes a story player device(see col. 7, lines 39-48).

7. As per claim 3, Moran discloses wherein computer code to perform memory checking is uniform and compact(see col. 3, lines 35-51).

8. As per claim 4, Moran discloses wherein a common core of instructions operate on memory(see col. 14, lines 18-30).

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9. As per claim 5, Moran discloses wherein a hacker attempting to produce a memory buffer stack overflow in order to introduce executable code into the system is substantially prevented by the single memory range allocation and checking(see col. 4, lines 17-23).

10. As per claim 6, Moran discloses wherein the computer system provides more stable operation as a result of the predictable memory operating environment than would be available with conventional memory operating environments (see col. 19, lines 49-67, col. 20, lines 1-17).

11. As per claim 7, Moran discloses wherein the message procedures include instructions, which sub-allocate all memory regions from the single memory block(see col. 8, lines 13-16, col. 9, lines 41-62).

12. As per claim 8, Moran discloses wherein the message procedures include instructions which can cause the single memory block to be destroyed and reallocated when different parts of the message are executed (see col. 9, lines 23-41), thereby providing procedural flexibility while avoiding the complexities normally associated with memory garbage collection algorithms (see col. 10, lines 56-67).

13. As per claim 9, Moran discloses wherein the message procedures include at least one instruction which can preserve some or all parts of the data stored in the single memory block in a second allocated memory block(see col. 9, lines 54-67), which is itself also checked to make sure accesses outside of the second allocated memory block are never made while the single memory block is being reallocated (see col. 8, lines 13-16, col. 9, lines 41-62).

14. As per claim 10, Moran discloses where the second allocated memory block is always available during execution of the procedural messages and accesses are checked to be contained within one of the two allocated memory blocks(see col. 3, lines 35-51, col. 8, line 1-16).


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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
September 29, 2004

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100